



Entered on Docket
September 28, 2010

Hon. Linda B. Riegle
United States Bankruptcy Judge

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HSBC Bank USA, NA, as Trustee for Nomura Asset Acceptance Corporation Mortgage Pass Through Certificates, Series 2005-AR4
10-73087

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:	Bk Case No.: 10-22003-lbr
Kirt D. McNally and Teri R. Witzel	Date: 9/15/2010 Time: 10:30 am
	Chapter 13
Debtors	

ORDER VACATING AUTOMATIC STAY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to

1 Secured Creditor HSBC Bank USA, NA, as Trustee for Nomura Asset Acceptance Corporation
2 Mortgage Pass Through Certificates, Series 2005-AR4, its assignees and/or successors in interest, of
3 the subject property, generally described as 7828 Copper Canyon Road, Las Vegas, NV 89128

4 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
5 Debtors at least seven business days' notice of the time, place and date of sale.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
7 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of
8 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured
9 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.
10

11 Submitted by:
12

13 **WILDE & ASSOCIATES**

14 By:  #10235
15 Gregory L. Wilde, Esq.
16 Attorney for Secured Creditor

17 **APPROVED / DISAPPROVED**

18 By: _____
19 David Krieger
20 Attorney for Debtor(s)

21 **APPROVED / DISAPPROVED**

22 By: _____
23 Rick A. Yarnall
24 Chapter 13 Trustee
25
26

1 In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately
 2 reflects the court's ruling and that (check one):

- 3 The court has waived the requirements set forth in LR 9021(b)(1).
 4 No party appeared at the hearing or filed an objection to the motion.
 5 I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and
 any unrepresented parties who appeared at the hearing, and each has approved or
 disapproved the order, or failed to respond, as indicated below [list each party and
 whether the party has approved, disapproved, or failed to respond to the document]:

- 6 I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the
 7 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the
 order.

8 Debtor's counsel:

- 9 approved the form of this order disapproved the form of this order
 10 waived the right to review the order and/or failed to respond to the document
 11 appeared at the hearing, waived the right to review the order
 matter unopposed, did not appear at the hearing, waived the right to review the order

12 Trustee:

- 13 approved the form of this order disapproved the form of this order
 14 waived the right to review the order and/or failed to respond to the document

15 This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
 16 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
 respond, as indicated below.

17 Debtor's counsel:

- 18 approved the form of this order disapproved the form of this order
 19 waived the right to review the order and/or failed to respond to the document
 20 appeared at the hearing, waived the right to review the order
 matter unopposed, did not appear at the hearing, waived the right to review the order

21 Trustee:

- 22 approved the form of this order disapproved the form of this order
 23 waived the right to review the order and/or failed to respond to the document

24 I certify that I have served a copy of this order with the motion, and no parties appeared or filed
 written objection.

25 Submitted by:

26 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor